COMMITTEE REPORT NO. 7 - 1 4 (5) TABLED ON JUN 1 3 2002

# 14th Legislative Assembly of the Northwest Territories

# Standing Committee on Accountability and Oversight

Report on the Review of the Languages Commissioner's Annual Report 2000-2001

Chairperson: Mr. Charles Dent

105-00505/

Northwest Territories Legislative Assembly
Standing Committee on Accountability and Oversight

JUN 13 2002

THE HONOURABLE ANTHONY (TONY) WHITFORD, MLA
SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Accountability and Oversight has the honour of presenting its Report on the Review of the Languages Commissioner's Annual Report 2000-2001, and commends it to the House.

Charles Dent, MLA
Chair

P.O. Box 1320
Yellowknife
Northwest Territories
X1A 2L9
T: (867) 669-2299
F: (867) 873-0432
www.assembly.gov.nt.ca

## STANDING COMMITTEE ON ACCOUNTABILITY AND OVERSIGHT

---

### Committee Membership

Charles Dent
MLA Frame Lake
Chair

Floyd Roland
MLA Inuvik Boot Lake
Deputy Chair

Brendan Bell
MLA Yellowknife South

Bill Braden
MLA Great Slave

Paul Delorey
MLA Hay River North

Jane Groenewegen
MLA Hay River South

David Krutko
MLA Mackenzie Delta

Leon Lafferty
MLA North Slave

Sandy Lee
MLA Range Lake

Michael McLeod
MLA Deh Cho

Steven Nitah
MLA Tu Nedhe

### Committee Staff

Doug Schauerte
Deputy Clerk

Shirley J. Johnson
Director, Research and Library Services

Donna Huffam
Committee Researcher

Jacqueline McLean
Committee Coordinator

# Report on the Review of the Languages Commissioner's Annual Report 2000-2001

## HISTORY

The *Official Languages Act* was passed by the Legislative Assembly of the Northwest Territories in 1984. The Act guarantees equal status for the use of Canada's two official languages for members of the public using government programs and services. The Act also officially recognized the Aboriginal languages spoken in the Northwest Territories.

In 1990 amendments to the Act gave greater status to northern Aboriginal languages and recognized the need to protect aboriginal culture through the promotion of the use of aboriginal languages. The 1990 amendments also included the creation of the position of the Languages Commissioner to be appointed by the Legislative Assembly for a term of four years.

## REVIEW OF THE *OFFICIAL LANGUAGES ACT*

Section 29(1) of the Act required a review of the *Official Languages Act* following December 31, 2000. A Special Joint Committee was established in November of 2000 to examine the effectiveness of the current legislation to protect both Canada's official languages and the Aboriginal languages of the Northwest Territories. The Special Committee on the Review of the *Official Languages Act* will be presenting its final report to the Legislative Assembly in March 2003.

## LANGUAGES COMMISSIONER

According to Section 20(1) of the Act, the duties of the Languages Commissioner are:

> ...to take all actions and measures within the authority of the Languages Commissioner with a view to ensuring recognition of the rights, status and privileges of each of the Official Languages and compliance with the spirit and intent of the Act in the administration of the affairs of government institutions, including any of their activities relating to the advancement of the aboriginal languages in the Territories.

The Commissioner has the authority to investigate any complaints made to her office or may initiate an investigation if it is warranted. The Commissioner may also issue opinions on complaints and make recommendations to institutions as she deems necessary. If, after a reasonable amount of time, the Commissioner's recommendations have not been acted upon by the institution, the Commissioner may make a report to the Legislative Assembly.

The Commissioner is also required to submit an annual report to the Legislative Assembly. Ms. Fibbie Tattie was appointed to the position of Languages Commissioner in July of 2000.

## ANNUAL REPORT 2000-2001

Ms. Tatti submitted her annual report for 2000-2001, which was tabled in the House on November 5, 2001. The Standing Committee on Accountability and Oversight met on March 4, 2002 with the Languages Commissioner and Ms. Shannon Gullberg from the Office of the Languages Commissioner.

## NEW VISION AND MANDATE

During the review of the Language Commissioner's 2000-2001 Annual Report, it was noted by the Committee that the Vision and Mandate of the Office of the Languages Commissioner had been significantly altered. The previous Vision/Mission statement read as follows;

> "The Office of the Languages Commissioner works to assist in the preservation, promotion and protection of the official languages of the Northwest Territories, and to ensure that the Government of the Northwest Territories departments, boards and agencies comply with the spirit and intent of the *Official Languages Act* as legislated."

The new Vision is as follows;

> "Each step we have taken in language revitalization has been taken with Elders and many committee and dedicated persons. Each achievement has been made by working together toward the common vision of strong, healthy NWT Official Languages. The Office of the Languages Commissioner must follow this cooperative approach, working together with all language communities and NWT citizens in meeting their language needs and aspirations and upholding the *Official Languages Act*."

The Standing Committee did not wish to enter into a debate on the relative merits of each vision or mandate of independent offices of the Legislative Assembly. However, Committee Members did feel that the Languages Commissioner should have consulted with the Legislative Assembly before significantly altering the official Vision of the Languages Commissioner's Office.

## ESTABLISHMENT OF AN ADVISORY BOARD

During the review of the annual report, the Standing Committee was informed that the Languages Commissioner had established a new Advisory Board in October of 2000. The Committee took note that Section 20(3) of the *Official Languages Act* provides for consultation with representatives of languages organizations not less than once a year. However, the Act does not specifically state that an Advisory Board should be established, merely that representatives should be consulted on a regular basis.

The Committee recognizes that consultation is an important aspect of the Office. However, there may be concerns about the method by which members are appointed to the Advisory Board and the compensation for duties and travel. The Committee has been made aware that an Advisory Board such as this is usually legislated as an official body of the Government and would therefore follow strict rules in these matters. The Standing Committee would like to suggest that the Languages Commissioner either continue with informal consultation or suggest legislative change to the Official Languages Act to address this issue.

> **Languages Commissioner - Recommendation #1**
> That the Legislative Assembly demonstrate their commitment to all Official Languages by ensuring visibility of languages throughout Legislative Assembly session with the presence of simultaneous interpreters.

Members of the Standing Committee took note that this recommendation is contrary to a previous Language Commissioner's recommendation that languages services at the Legislative Assembly be reprofiled and channelled to the community level. While the Committee recognizes that the visibility of languages is an important issue, it is concerned that the cost of providing simultaneous translation may be high. Some Members of the Committee, however, feel that the financial investment is vital in order to preserve the use of aboriginal languages. The Committee requests that the Board of Management undertake a cost/benefit analysis and make a recommendation on this matter.

**Languages Commissioner - Recommendation #2**
That the Legislative Assembly provide adequate funds to the Office of the Languages Commissioner, whose business is language, to carry out correspondence, public communication, and meetings with the services of interpreter/translators thus ensuring Office credibility in fulfilling its goals.

The Standing Committee notes that the Languages Commissioner has requested $66,120 in supplementary funding in order to translate items such as the newsletter, website, annual report and other communications. The Committee notes that the Languages Commissioner received an increase of $12,000 in her 2002-2003 budget and a substantial increase in the 2001-2002 budget. The Committee is also aware that the Languages Commissioner may request access to the Legislative Assembly's language services budget for any further translation costs.

**Languages Commissioner - Recommendation #3**
In order to provide a consistent picture of language growth or decline across official languages groups and in order to identify critical success factors that provide a basis upon which to make well-informed decisions for language programs and policies, the Office recommends the Legislative Assembly approves funding to the Bureau of Statistics, in consultation with the Office of the Languages Commissioner, to undertake socio-linguistic research every three to five years.

Members of the Standing Committee had the opportunity to peruse several survey options provided by the NWT Bureau of Statistics. The Committee is aware that good information is essential for the protection of languages and culture. However, the Committee is also aware that the Special Committee on the Review of the *Official Languages Act* is investigating this issue and will be presenting their report next year. The Standing Committee would like to wait for the Special Committee's findings on this matter before making a specific recommendation on this topic.

**Languages Commissioner - Recommendation #4**
Considering the urgency and the need for good services in the interpreter/translator field, it is imperative that implementation and development of a comprehensive strategy for I/T training and certification becomes a priority for the Department of Education, Culture and Employment in conjunction with the Office of the Languages Commissioner. This process should be completed within 3 years (2004) for all official languages.

The Standing Committee on Accountability and Oversight took considerable interest in this recommendation. The Committee is aware that a former Minister for Education, Culture and Employment promised in the House that this particular concern would be addressed. The Standing Committee is disappointed to see that despite the passage of several years that there has been no movement on this issue.

**Recommendation**

The Standing Committee on Accountability and Oversight recommends that the government establish a comprehensive strategy for the training and certification of aboriginal language interpreters/translators by 2004.

**Languages Commissioner - Recommendation #5**
That GNWT departments provide staff workshops on the Act and the roles and responsibilities of the Office of the Languages Commissioner, and ensure that orientation of new employees include the *Official Languages Act*.

The Standing Committee on Accountability and Oversight fully supports this recommendation.

**Recommendation**

**The Standing Committee on Accountability and Oversight recommends that the government provide staff workshops on the Act and that the Act be included in the orientation of new GNWT employees.**

## CONCLUSION

Members of the Standing Committee on Accountability and Oversight would like to thank the Commissioner and her staff for the Annual Report and presentation.